

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VERMAIL V. NOEL,

Plaintiff,

-against-

AMERICAN AIRLINES, AIRPORT
SECURITY; UNITED AIRLINES, AIRPORT
SECURITY,

Defendants.

22-CV-1696 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated April 29, 2022, the Court directed Plaintiff to show, by filing a written declaration within 60 days of the date of that order, that she has standing to assert claims on behalf of her husband's estate or distributees, or, in the alternative, to retain an attorney to represent her in this matter. That order stated that failure to comply would result in dismissal of the complaint. Plaintiff has not filed a declaration and an attorney has not made an appearance on her behalf.

Accordingly, the Court dismisses the complaint, which was filed *in forma pauperis* (IFP) under 28 U.S.C. § 1915(a)(1), for lack of standing without prejudice to Plaintiff's repleading her claims through an attorney or to Plaintiff's repleading her claims and alleging facts demonstrating that she has standing to assert claims on behalf of her husband's estate or distributees.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: August 3, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge